

-----Original Message-----

From: Richard Garren [mailto:RGarren@riggsabhey.com]
Sent: Friday, March 21, 2008 11:09 AM
To: Sherri L. Cottom; lbullock@bullock-blakemore.com; David Page; Bob Nance;
cxidis@motleyrice.com
Cc: Baker, Fred; Kelly.Burch@oag.ok.gov; David Riggs
Subject: RE: State of OK v. Tyson

John,

In response to your letter this date. The State will have new notices to issue out next week. Additional changes are being made, though minor in nature. I suggest that two days will be needed for both Cargill Inc. and Cargill Turkey for a total of four days, largely due to the volume of document production by Cargill is greater than the combined total of all other defendants. Additionally we have recently received more production from Cargill, including grower production records. I suggest we plan to use the following dates of April 22, 23 and April 29 & 30.

Is the designee locations due to the responding entity? That is, are you proposing Cargill Turkey in Wichita and Cargill, Inc. in Tulsa?
I plan to take Cargill Inc first in our scheduling.

Let me know if this will work. I will get you the notices first of next week.

Rick

-----Original Message-----

From: Sherri L. Cottom [mailto:SCottom@rhodesokla.com]
Sent: Friday, March 21, 2008 11:04 AM
To: Richard Garren; lbullock@bullock-blakemore.com; David Page; Bob Nance;
cxidis@motleyrice.com
Cc: Sherri L. Cottom
Subject: State of OK v. Tyson

Attached please find correspondence from John Tucker.

Exhibit 5

RHODES, HIERONYMUS, JONES, TUCKER & GABLE, P.L.L.C.
LAWYERS

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 Tulsa, Oklahoma 74103-4287
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 John H. Tucker
 Jo Anne Deaton
 Dan S. Folluo
 Ann E. Allison
 Andrew D. Downing
 Bradley A. Jackson
 Collin H. Tucker

Kerry R. Lewis
 Leslie J. Southard
 Nathan E. Clark
 Theresa Noble Hill
 Carlye O. Jimerson
 Bradley S. Shells
 Lindsey J. McDowell
 Denelda L. Richardson
 Maria E. Cervantes

Hal Crouch (1902-1947)
 Chris L. Rhodes (1902-1966)
 E. D. Hieronymus (1908-1994)
 George W. Gable (1918-2000)

— Est. 1931 —
 Daniel D. Draper, III
 James D. Johnson
Of Counsel

RhodesHieronymus

O K L A H O M A

March 20, 2008

VIA EMAIL ONLY

Richard T. Garren
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 Orbison & Lewis, Inc.
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Ms. Elizabeth Claire Xidis
 Motley Rice LLC
 28 Bridgeside Boulevard
 Mt. Pleasant, SC 29465

Re: State of Oklahoma v. Tyson, et al.
 Our File No.: 1790-2

Dear Counsel:

This letter follows-up on the 30(b)(6) notices served by Plaintiffs on the Cargill Defendants. The Court stayed these depositions until conclusion of the hearing on Plaintiffs' motion for preliminary injunction ("PI"). While we have had no contact from Plaintiffs regarding the scheduling of these depositions, if it remains Plaintiffs' desire to pursue these depositions, please contact me at your earliest convenience regarding the two matters discussed below.

First, Plaintiffs served the Cargill Defendants with three sets of 30(b)(6) notices. These notices were served on July 13, 2007; December 21, 2007 and January 18, 2008. Although some topics were duplicated among the notices, other topics were not. Please advise us as soon as possible which set of notices and/or topics Plaintiffs wish to pursue.

Second, the Cargill Defendants have identified at least two designees who will respond to the topics noticed by Plaintiffs. The Cargill Defendants are prepared to make these designees available for deposition as follows:

Reply to: John H. Tucker
jtucker@rhodesokla.com

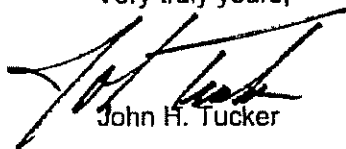
Counsel for Plaintiffs
March 20, 2008
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	<u>Date</u>	<u>Location</u>
First Designee	Either April 3 rd or 4 th	Tulsa, OK
Second Designee	Either April 10 th or 11 th	Wichita, KS

We will advise you of the specific topics to which each designee will respond after you identify the particular notices upon which you will proceed.

As these dates are fast-approaching, we ask that you respond to this letter as soon as possible. We cannot assure that our designees will be able to hold these dates open if we do not hear from you by close of business Tuesday, March 25th.

Very truly yours,



John H. Tucker

JHT:law